

PART I

RULE 1002-1 PETITION - GENERAL

(a) ~~Rejection of Certain Deficient Petitions.~~ ~~The Clerk may not accept a petition and must reject it~~ *The petition will be dismissed without a hearing if:*

(1) the petition is not signed with original signature(s);

(2) the party filing the petition neither pays the prescribed filing fee with the petition nor files with the petition an application to pay the required fee in installments, if eligible to do so;

(3) the debtor does not file the master mailing matrix with the petition;

(4) a Chapter 11 debtor does not file the list of twenty (20) largest unsecured creditors with the petition;

(5) the petition is submitted by a debtor who is not an individual and is not represented by an attorney who is a member of the bar of the District Court; or

(6) the petition is submitted by a person who, under either 11 U.S.C. § 109(g) or an order of court, may not be a debtor at the time of the submission of the petition.

(b) Other Deficient Petitions and Papers - Notice of Deficient Filing.

The Clerk can issue a notice:

(1) specifying deficiencies -- except those described in subsection (a) -- in the petition, schedules, and associated papers; and

(2) stating that the petition, schedule or associated papers may be stricken or the case dismissed if the deficiencies are not corrected within five (5) business days after the date of issuance of the deficiency notice.

Comment: Petitions filed over the Internet cannot be rejected. This rule is amended to treat all filers, and their pleadings the same, whether over the internet or in person.

RULE 1006-1 FILING FEES - INSTALLMENT PAYMENTS

(a) Tender of Payment. The filing fee may be paid in cash or by cashier's check, certified check or negotiable money order made payable to "Clerk, United States Bankruptcy Court." *Only counsel may pay filing fees by credit card.* Payment by ~~an attorney's~~ counsel's check will be accepted only if the check is drawn on the account of the attorney for the debtor or on the account of a law firm of which the attorney for the debtor is a member, partner, associate or of counsel. The Clerk shall maintain a list of attorneys and law firms whose checks have been dishonored and may refuse to accept the checks of such attorneys or firms.

(b) Payment of Fees in Installments. The Clerk may approve for the court an application by an individual to pay the filing and administrative fees in installments that proposes a payment plan with minimum payments in accordance with the following schedule:

	At	Within 30 Days	Within 60 Days	Within 90 Days
	Filing	After Filing	After Filing	After Filing
Chapter 7	25%	25%	25%	25%
Chapter 11	50%	50%	--	--
Chapter 12	25%	25%	25%	25%

~~(c) Limitation on Payment of Fee in Installments. If a debtor's case is dismissed for failure to pay one or more installments of the filing fees, and if the debtor subsequently files a bankruptcy case, the filing fee for the new bankruptcy case must be paid in full when the petition is filed.~~

<p>Comment: This Rule is amended to clarify that payment of filing fees by credit card is permissible by attorney only. [Part (c) of this Rule is deleted since this is in conflict with Title 28 Sec. 1930(a)(6)]</p>

~~RULE 1007-1 — LISTS, SCHEDULES & STATEMENTS~~

~~—— (a) Chapter 7, 12 and 13 Cases. In a Chapter 7, 12 or 13 case, the debtor must file an original and two (2) copies of the petition, lists, schedules and statements required by Federal Bankruptcy Rule 1007.~~

~~—— (b) Chapter 9 and 11 Cases. In a Chapter 9 or 11 case, the debtor must file an original and six (6) copies of the petition, lists, schedules and statements required by Federal Bankruptcy Rule 1007.~~

~~—— (c) Chapter 13 Plans.~~

~~—— See Local Bankruptcy Rule 3015-1.~~

<p>Comment: This Rule is deleted as there is no further need for more than one copy of pleadings as all such hard copies will be scanned and available electronically.</p>

RULE 1007-21 MAILING LIST OR MATRIX

(a) Matrix Contents. A debtor must file with the voluntary petition a master mailing matrix containing the names and addresses of the debtor and all creditors. In a case under Chapter 11, the debtor must include in the matrix the taxing authority for each county in which the debtor holds an interest in real estate.

(b) Matrix Form. The master mailing matrix must be submitted in the form required by the Clerk.

(c) Supplemental Matrix. The debtor must file a supplemental mailing matrix with any schedule or amended schedule that contains a change in address of an entity entitled to notice or adds the names of an entity not listed on the original matrix. The supplemental matrix must conform to the form required by the Clerk.

(d) Verification. The master mailing matrix and any supplemental mailing matrix must be dated and verified. The verification must state that to the best of the affiant's knowledge, information and belief the documents are accurate and complete.

RULE 1007-32 VERIFICATION OF AUTHORITY TO FILE - CORPORATIONS

A certified copy of the resolution authorizing the filing of the bankruptcy petition must be filed with a corporate debtor's voluntary petition. The resolution must show approval by the corporate body empowered by applicable law to authorize filing a bankruptcy petition.

RULE 1007-43 NOTICE TO CREDITORS NOT LISTED ON ORIGINAL MATRIX

If a debtor files schedules after filing the petition, and if the debtor's schedules include one or more creditors that were not included on debtor's master mailing matrix filed with the petition, a debtor must comply with the following procedures:

(a) Notice to Creditors. The debtor must send to each creditor added a copy of the original Notice for Meeting of Creditors.

(b) Certificate of Compliance. With the schedules, the debtor must file a certificate of compliance with this Rule, together with a dated and clearly titled supplemental mailing matrix that lists only the names and correct mailing addresses of each newly scheduled creditors.

Comment: These Rules are renumbered due to the deletion of LBR 1007-1
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RULE 2016-1 COMPENSATION OF PROFESSIONALS

(a) Applications for Compensation by Professionals. Unless the court orders otherwise, all professionals seeking compensation pursuant to Bankruptcy Code §§ 327, 328, 330, and 331, including attorneys, accountants, examiners, investment bankers and real estate advisors, must prepare and submit their applications for compensation in accordance with the Guidelines attached as Appendix D to these Rules.

(b) Disclosure of Compensation. The attorney for the debtor must file ~~two copies of~~ a Federal Bankruptcy Rule 2016(b) disclosure statement with the petition. If the debtor's attorney's appearance is entered after the filing of the petition, the attorney must file ~~two copies of~~ the Federal Bankruptcy Rule 2016(b) disclosure statement at the time of entry of appearance.

Comment: Amended to reflect that more than one copy of a pleading is no longer needed.

RULE 3015-1 CHAPTER 13 PLANS — ~~COPIES, SERVICE~~

~~(a) If a debtor files a plan with the petition, the debtor must file: one (1) copy of the plan signed by the debtor or by each debtor in a joint case; one (1) additional copy for the standing chapter 13 trustee.~~

(b) If, after filing the petition, the debtor files an original plan, or an amended plan that does anything other than increase the amount payable under the plan, debtor must serve a copy of the plan upon each creditor and the Chapter 13 trustee, and file a certificate of service.

Comment: Amended to reflect that more than one copy of a pleading is no longer needed.

~~RULE 5003-1 COURT PAPERS REMOVAL OF~~

~~(a) Removal, Copies. Except as provided in this Rule, no court record or paper filed in or connected with a case may be removed from the Clerk's office without a court order. The Clerk will arrange for the duplication of any unrestricted court paper on the request of any person and prepayment of the cost thereof.~~

~~(b) Claims. With prior consent of the Clerk, trustees can remove that portion of a file containing proofs of claim from the Clerk's office.~~

<p>Comment: Title 28 already addresses the restriction on removal of records, which is highlighted on each case file folder. With all records maintained in an electronic version, the remainder of this rule is unnecessary.</p>

~~RULE 5005-1 FILING PAPERS - SIZE OF PAPERS~~

~~Pleadings, exhibits to pleadings where practicable, and other papers must be legible and must be on 8-1/2 x 11 inch paper. All papers (other than the mailing matrix) must be punctured by a standard two-hole punch centered along the top margin. Original pleadings shall be marked "original," and copies shall be marked "copy" in the upper right-hand corner.~~

Comment: See LBR 9004-1

RULE 5005-2 FILING BY ELECTRONIC MEANS

The Court will accept for filing documents submitted, signed or verified by electronic means that comply with the Electronic Case Filing Procedures established by the Court.

Comment: Necessary pursuant to FRBP 5005(a)(2) to adopt ECF procedures.
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RULE 7003-1 ADVERSARY COVER SHEET

A party ~~filing an adversary proceeding complaint~~ *who is not represented by an authorized Filing User of the Electronic Case Filing system* must file a completed adversary proceeding cover sheet *when filing an adversary proceeding*. A party filing a complaint under 28 U.S.C. § 157(b)(5) must file both an adversary proceeding cover sheet and a district court cover sheet.

Comment: All filers who do so manually, will need to file the cover sheet. All electronic filers will be opening their complaints on-line.

RULE 9001-1 DEFINITIONS AND RULES OF CONSTRUCTION

(a) Definitions in Federal Bankruptcy Rules. The definitions of words and phrases in Federal Bankruptcy Rule 9001 and the definitions adopted by reference therein apply in these Local Bankruptcy Rules.

~~(b) Rules of Construction. The rules of construction contained in Bankruptcy Code § 102 apply to these Local Bankruptcy Rules.~~

(bc) Bankruptcy Code. In these Local Bankruptcy Rules, reference to the Bankruptcy Code means title 11 of the United States Code.

(cd) Federal Bankruptcy Rules. Reference to Federal Bankruptcy Rule(s) means the Federal Rules of Bankruptcy Procedure.

(de) District Court. In these Local Bankruptcy Rules, reference to the District Court means the United States District Court for the District of Maryland.

(ef) File. Where the word "file" appears in these Local Bankruptcy Rules, such filing is to be made with either the appropriate divisional office of the Clerk of the United States Bankruptcy Court for the District of Maryland *or electronically via ECF.*

Comment: Amended to allow for filing electronically as well as "manually".

RULE 9004-1 PAPERS - REQUIREMENTS OF FORM; ORDERS

(a) General. All petitions, pleadings, schedules and other documents filed in paper form shall be 8 1/2 by 11 inches in size, legibly typewritten, printed or reproduced. The papers shall be of standard weight and, except for proposed orders, shall have an upper margin of not less than 1 1/2 inches. No such document may be two-hole punched, stapled or similarly fastened so as to cause punctures in the paper. Original pleadings must be retained pursuant to LBR 9011-3. Only copies should be submitted for filing with the Court.

(b) Proposed Orders. The first page of all orders shall have an upper margin of not less than three (3) inches. The last line in the order must be, "**End of Order**", centered in the middle of the line. The signature line for the judge shall be omitted.

<p>Comment: Should any hard copy be filed, they must be without holes to facilitate scanning. Proposed orders need to comply with the requirements of the Court's e-orders program.</p>
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**RULE 9011-2 SIGNING OF ELECTRONICALLY TRANSMITTED PLEADINGS;
REPRESENTATIONS TO THE COURT**

(a) Responsibility for Use of Login and Password. An attorney or other person who is assigned a court issued login and password to file documents electronically is responsible for all documents filed using that login and password.

(b) Signature and Certification. The transmission of a petition, pleading, motion or other paper by electronic means shall constitute both a signature by the attorney or other person responsible for transmitting it that is required by Fed. R. Bankr. P. 9011(a) and a certification within the meaning of Fed. R. Bankr. P. 9011(b). Such transmission shall also constitute a representation by the attorney or other person responsible for an electronic transmission to the Court that he or she is in possession of the original petition, pleading, motion or other paper, with all original signatures thereon.

Comment: New LBR to address electronic signatures.

RULE 9011-3 MAINTENANCE AND PRODUCTION OF ORIGINAL DOCUMENTS

(a) Maintenance. The attorney or other person responsible for an electronic transmission to the Court shall maintain the original petition, pleading, motion or other paper filed by electronic means, including all original signatures, for a period ending three years after the bankruptcy case is closed.

(b) Production. Upon reasonable request by the Court or an interested party, the attorney or other person responsible for an electronic filing shall produce for inspection and copying the original petition, pleading, motion, or other paper filed by electronic means, with all original signatures thereon.

Comment: New LBR to address electronic signatures and the retention of original documents by the attorney. The Clerk will not maintain any paper copy of pleadings. The electronic record is the official record of the case. Pursuant to LBR 9004-1, Counsel should maintain papers with original signatures.

RULE 9036-1 NOTICE BY ELECTRONIC TRANSMISSION

(a) Facsimile Notice. In addition to methods of notice available under the Federal Bankruptcy Rules, notice may be given by hand-delivery or facsimile transmission, except that the Clerk shall not accept for filing any facsimile transmission. All notices given by facsimile transmission shall be followed by hard copy notice with original signature mailed by the next business day.

(b) Electronically Filed Notice and Service. If an attorney has requested in a case notice and service by electronic transmission, notice or service is complete when the sender obtains electronic confirmation that the transmission of the Notice of service has been received.

Comment: Amended to provide for electronic notice via e-mail from the CM/ECF system or from other sources.
